

Court of Appeals, State of Michigan

ORDER

People of MI v Gregory Arthur Robinson

Docket No. 254863

LC No. 2003-003049-FH

Pat M. Donofrio
Presiding Judge

Mark J. Cavanagh

Henry William Saad
Judges

The Court orders that the motion for reconsideration is DENIED. The record before the trial court supports its scoring of the challenged prior record variables. Under MCL 777.50(1) the 10-year period for convictions which may be scored under prior record variables 1 to 5 is counted from the discharge date from a conviction to the commission of the next offense rather than simply between the conviction dates for each offense. While another court at an earlier sentencing may have mistakenly believed that most of defendant's prior convictions were outside the 10-year period, the trial court was not bound by that erroneous prior record determination.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR - 7 2005

Date

Sandra Schultz Mengel
Chief Clerk